

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.1:05-cv-10606-WGY

SHERYL SATTERTHWAITE, as Executrix)
of the Estate of DENNIS SATTERTHWAITE,)
Plaintiff)
)
vs.)
)
UNITED STATES OF AMERICA,)
UHS OF WESTWOOD PEMBROKE, INC.,)
ARTHUR PAPAS, and,)
CATHERINE SULLIVAN, R.N.C.,)
Defendants)

DEFENDANTS UHS OF WESTWOOD PEMBROKE, INC. AND CATHERINE SULLIVAN,
R.N.C.'S MOTION FOR RECONSIDERATION OF THEIR MOTION TO OBTAIN COURT
ORDERS TO OBTAIN RECORDS FROM THE INTERNAL REVENUE SERVICE AND THE
UNITED STATES POSTAL SERVICE

The Defendants, UHS of Westwood Pembroke, Inc. and Catherine Sullivan, R.N.C., respectfully request that this Honorable Court reconsider their Motion to Obtain Court Orders to Obtain Records from the Internal Revenue Service and the United States Postal Service. The Court recently allowed this Motion, except limited the Orders as requested by the Plaintiff in her Opposition. However, the limitations set forth by the Plaintiff are unduly restrictive, and preclude the Defendants from obtaining relevant information. In further support of this Motion for Reconsideration, the Defendants state the following:

1. In her Opposition, the Plaintiff requested, *inter alia*, that the IRS be ordered to produce copies of any and all correspondence between Dennis Satterthwaite and the IRS regarding unpaid taxes, penalties, and late fees for the year 2002. It is undisputed that Mr. Satterthwaite died in May 2002. Therefore, any tax problems and/or tax liabilities he incurred

would have related to taxable years before 2002. In an April 2002 journal entry, Mr.

Satterthwaite also references a “huge” tax bill “for last year.”

2. Additionally, the Plaintiff has requested that any production of the Plaintiff’s employment records, including EAP records, be limited to a one week period of time prior to his death. This time limit is too short. The discovery to date reflects that Mr. Satterthwaite was having problems at work in the months before his death, in addition to seeking counseling from numerous sources, including the Employee Assistance Program. In addition, while Mr. Satterthwaite was a patient in the Defendant’s partial hospital program, he was supposed to have gone to work on the days he was not in the program. The Defendant is seeking confirmation that he did, in fact, go to work on those days. With this Order, the Defendants are simply trying to find relevant information with respect to Mr. Satterthwaite's piece of mind and job performance throughout the year 2002, and more specifically, for the period of May 7 through May 30, 2002.

Wherefore, the Defendants, Catherine Sullivan, R.N.C. and UHS of Westwood Pembroke, Inc., respectfully request that this Honorable Court reconsider their Motion to Obtain Court Orders from the Internal Revenue Service and the United States Postal Service.

/s/ Amy J. DeLisa
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DATED: March 5, 2007

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VS.

UNITED STATES OF AMERICA,
UHS of WESTWOOD PEMBROKE, INC.,
ARTHUR PAPPAS, and,
CATHERINE SULLIVAN,
Defendants

CERTIFICATE OF SERVICE

I hereby certify that this **DEFENDANTS UHS OF WESTWOOD PEMBROKE, INC. AND CATHERINE SULLIVAN, R.N.C.'S MOTION FOR RECONSIDERATION OF THEIR MOTION TO OBTAIN COURT ORDERS TO OBTAIN RECORDS FROM THE INTERNAL REVENUE SERVICE AND THE UNITED STATES POSTAL SERVICE** filed through ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on **March 5, 2007**.

/s/ Amy J. DeLisa

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